

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**ENTERED**

June 16, 2021

Nathan Ochsner, Clerk

LEONARDO GUTIERREZ,
Petitioner.

v.

MERRICK B. GARLAND, ET AL.,
Respondents.

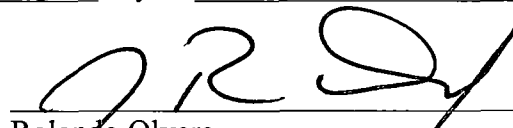
Civil Action No. 1:20-cv-00141

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court are these pleadings: Leonardo Gutierrez's ("Petitioner") "Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241" ("Petition") (Dkt. No. 1), Respondents' "Amended Motion to Dismiss or, in the Alternative, to Transfer Venue" ("Motion") (Dkt. No. 29), Petitioner's "Opposition for 'Respondents' Amended Motion to Dismiss [sic] or, in the Alternative to Transfer Venue" (Dkt. No. 30), Respondents' "Reply to Petitioner's Response to Amended Motion to Dismiss or, in the Alternative, to Transfer Venue" (Dkt. No. 31), and the "Magistrate Judge's Report and Recommendation" ("R&R") (Dkt. No. 34).

The R&R recommends this Court grant Respondents' Motion and transfer the Petition to the U.S. District Court, Western District of Louisiana, Alexandria Division. See Dkt. No. 34. Objections were due June 9, 2021.¹ No objections were filed by either party. When no objections are filed to a magistrate judge's ruling, the district court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Finding no clear error, abuse of discretion, or finding contrary to law, the R&R is **ADOPTED**. Respondents' Motion (Dkt. No. 29) is **GRANTED**. The District Court Clerk is **ORDERED** to transfer Petitioner's Petition to the U.S. District Court, Western District of Louisiana, Alexandria Division.

Signed on this 15th day of June, 2021.

 Rolando Olvera
 United States District Judge

¹ The Magistrate Judge set the objections deadline for June 2, 2021. Petitioner was served the R&R within 14 days of the June 2 deadline. See Dkt. Nos. 36-37. This Court reset the objections deadline to June 9. See Fed.R.Civ.P. 72(a) (noting the 14-day clock for objections does not start until a party is served the R&R).